

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

VINCENT F. RIVERA,

Plaintiff,

v.

CIVIL ACTION NO. 2:07-0049

JOE MANCHIN, Chief Executive  
and Governor of the State of West  
Virginia, WEST VIRGINIA DEPARTMENT  
OF CORRECTIONS, U.S. SENATOR ROBERT C.  
BYRD and U.S. SENATOR JOHN D.  
ROCKEFELLER, personally and officially,

Defendants

MEMORANDUM OPINION AND ORDER

On February 21, 2007, the proposed findings and recommendation of United States Magistrate Judge Mary E. Stanley were entered pursuant to the provisions of 28 U.S.C. § 636(b) (1) (B). On March 5, 2007, plaintiff filed objections to the proposed findings and recommendations consisting of six, largely incoherent, handwritten pages.

The court has reviewed the entirety of plaintiff's objections, many of which are bizarre and none of which address the substance of the magistrate judge's proposed findings and recommendation, and concludes that plaintiff has offered no support for his patently frivolous claims. The court further observes that plaintiff is no stranger to the federal court


system and has had little, if any, success. See Rivera v. Governor of Kentucky, 2007 WL 293870, at 1 (E.D. Ky. 2007) (observing that "[t]he federal courts' PACER database indicates that a 'Vincent Rivera' is the plaintiff in 350 cases nationwide" and ultimately denying his motion to proceed in forma pauperis and dismissing his action with prejudice); see also Rivera v. Lingle, 2006 WL 2425551, at 1 (D. Hawaii 2006) ("Rivera has filed hundreds of civil actions in the federal courts, most of which were dismissed as frivolous, malicious, or for failure to state a claim."). Indeed, the United States Court of Appeals for the Fourth Circuit has affirmed a district court's dismissal of Rivera's complaint under 28 U.S.C. § 1915A(b). Rivera v. Gonzales, 145 Fed. Appx. 434 (4th Cir. 2005).

In view of the foregoing, it is ORDERED that:

1. The findings and recommendation made in the Proposed Findings and Recommendation of the magistrate judge be, and hereby are, adopted by the court; and
2. This civil action be, and it hereby is, dismissed pursuant to the provisions 28 U.S.C. Section 1915A.

The Clerk is directed to forward copies of this order  
the pro se plaintiff and the United States Magistrate Judge.

DATED: August 30, 2007

  
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John T. Copenhaver, Jr.  
United States District Judge